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TO: Examiner Karen Cochrane Carlson FAX NO.: (703) 872-9306

FROM: James E. Butler PHONE NO.: (858) 458-8564
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cc: Milan Vinnola, Arnold & Porter FAX NO.: (202) 942-5999

DATE: April 2, 2004

RE: Serial No. 09/889,330

Number of pages being transmitted (including this cover sheet): 2
including:
Response to Restriction Requirement (1 pg.)

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Patent
Atty Docket No. 249/146US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kolterman et al.

Serial No.: 09/889,330

Filed: December 27, 2001

For: Novel Exendin Agonist Formulations and Methods of Administration Thereof

Examiner: Samuel W. Liu

Group Art Unit: 1653

Confirmation No.: 2741

Response to Restriction Requirement

To the Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

In response to the Office action mailed March 5, 2004 requiring restriction under 35 U.S.C. 121 and 372, Applicants hereby elect Group I, claims 1-42, drawn to pharmaceutical compositions comprising an exendin or an exendin agonist peptide.

Applicants believe that no fee is due in connection with this response. If Applicants are in error, the Commissioner is hereby authorized to charge any underpayment or credit any overpayment during the pendency of this application to Deposit Account No. 01-0535.

Respectfully submitted,



James E. Butler, Ph.D., Reg. No. 40,931
Amylin Pharmaceuticals, Inc.
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above Response to Restriction Requirement in the application of Kolterman et al., Serial No. 09/889,330, filed December 27, 2001, is being submitted to the Commissioner for Patents, Washington DC by facsimile transmission to telephone number 703-872-9306 on this 2nd day of April, 2004.



Cassandra Peters